



July 14, 2021

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Sunbelt Rentals, Inc. v. Demand Electric, Inc., et al.*,
Case No. 1:21-cv-03136-BMC

Supplement pursuant to this Court's July 9, 2021 Order (Doc. 13)

Your Honor:

Sunbelt Rentals, Inc. ("Sunbelt"), Demand Electric, Inc. ("Demand"), and Andreas Kourkouvelis (collectively the "parties") hereby submit this Supplement under this Court's order of July 9, 2021 (*see* doc. 13).

Defendants' Position:

Pursuant to the Court's July 9, 2021 Order, Defendant's hereby supplement their position as follows.

Defendants submit that the parties agreed that Plaintiff was obligated to submit timely (usually within 30 days) and accurate invoices. Defendants submit that Plaintiff failed to do so. Repeatedly Plaintiff sent invoices with errors well after services were performed. Some of the invoices were never corrected preventing Defendants from submitting them to the owner for payment. Other invoices were submitted so late that the owner rejected them for failure to submit timely.

In short, Plaintiff's billing practices were so bad the owner refused to pay hundreds of thousands of dollars worth of invoices. Without payment from the owner, Defendants are unable to reimburse the plaintiff. Defendants respectfully submit that it is likely the owner will have to be implicated into this case. It should also be noted that Defendants' point person for all invoicing has been out of the office until end of this week.

[SIGNATURES ON FOLLOWING PAGE]

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Respectfully Submitted,



Derek Rajavuori

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Respectfully Submitted,

/s/ Martin Shell

Martin Shell

*Attorney for Demand Electric, Inc. and Andreas
Kourkoumelis*